

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

VICTOR M. AVALOS, AND CAROLINA  
B. LARA,

Defendants.

**4:16CR3038**

**ORDER**

Currently pending before this court are motions to suppress submitted by Defendants Victor Avalos and Carolina Lara. ([Filing Nos. 84](#) & [90](#)). Avalos and Lara move to suppress all evidence seized during a vehicle search on February 13, 2016. The Government contends the search was conducted pursuant to knowing and voluntary consent.

Having presided over evidentiary hearings and read the briefing submitted for these motions, the undersigned requires additional briefing on the scope of consent issue. Specifically, the parties' shall address the following issue: Assuming Deputy Mayo received valid consent from Lara and the other passengers to search the vehicle, what was the scope of that consent and did Deputies Mayo and Henkel's search exceed the scope of consent.

IT IS ORDERED that on or before January 20, 2017, Defendants shall submit briefs on the issue of the scope of consent to search the vehicle. Response from the Government must be filed by February 3, 2017. No reply briefs shall be filed absent leave of the court.

Dated this 5th day of January, 2017.

BY THE COURT:

*s/ Cheryl R. Zwart*  
United States Magistrate Judge